

1 WILLIAM A. ISAACSON (*Pro Hac Vice*)
(wisaacson@bsfllp.com)
2 STACEY K. GRIGSBY (*Pro Hac Vice*)
(sgrigsby@bsfllp.com)
3 NICHOLAS A. WIDNELL (*Pro Hac Vice*)
(nwidnell@bsfllp.com)
4 BOIES, SCHILLER & FLEXNER LLP
5 1401 New York Ave NW, 11th Floor, Washington, DC 20005
6 Telephone: (202) 237-2727; Fax: (202) 237-6131

7 RICHARD J. POCKER #3568
(rpocker@bsfllp.com)
8 BOIES, SCHILLER & FLEXNER LLP
300 South Fourth Street, Suite 800, Las Vegas, NV 89101
9 Telephone: (702) 382-7300; Fax: (702) 382-2755

10 DONALD J. CAMPBELL #1216
(djcc@campbellandwilliams.com)
11 J. COLBY WILLIAMS #5549
(jcw@campbellandwilliams.com)
12 CAMPBELL & WILLIAMS
13 700 South 7th Street, Las Vegas, Nevada 89101
14 Telephone: (702) 382-5222; Fax: (702) 382-0540

15 *Attorneys for Defendant Zuffa, LLC, d/b/a*
16 *Ultimate Fighting Championship and UFC*

17 UNITED STATES DISTRICT COURT
18 DISTRICT OF NEVADA

19
20 Cung Le, Nathan Quarry, Jon Fitch, Brandon
21 Vera, Luis Javier Vazquez, and Kyle
Kingsbury on behalf of themselves and all
others similarly situated,

22 Plaintiffs,

23 v.

24 Zuffa, LLC, d/b/a Ultimate Fighting
25 Championship and UFC,

26 Defendant.

Case No.: 2:15-cv-01045-RFB-(PAL)

**DECLARATION OF STACEY K.
GRIGSBY IN SUPPORT OF ZUFFA,
LLC'S MOTION TO SEAL PORTIONS
OF ZUFFA, LLC'S OPPOSITION TO
PLAINTIFFS' MOTION TO
CHALLENGE ATTORNEY-CLIENT
PRIVILEGE (ECF NO. 320) AND
RELATED EXHIBITS**

1 I, Stacey K. Grigsby, declare as follows:

2 1. I am an attorney admitted to practice before the courts in the states of New York
3 and the District of Columbia and am admitted Pro Hac Vice to practice before this Court. I am a
4 Partner in the law firm Boies, Schiller & Flexner LLP, and counsel to Defendant Zuffa, LLC
5 (“Zuffa”) in this case.

6 2. I make this declaration in support of Zuffa’s Motion to Seal Portions of Zuffa’s
7 Opposition to Plaintiffs’ Motion to Challenge Attorney-Client Privilege. Based on my review of
8 the files and records in this case, I have firsthand knowledge of the contents of this declaration
9 and could testify thereto.

10 3. Zuffa seeks to file under seal two exhibits identified as Exhibits B and C to the
11 Declaration of Stacey K. Grigsby in Support of Zuffa, LLC’s Opposition to Plaintiffs’ Motion to
12 Challenge Attorney-Client Privilege (“Grigsby Opposition Declaration”), as well as portions of
13 Zuffa’s Opposition, Exhibit A to the Grigsby Opposition Declaration, and the Appendix of
14 Exhibits in support thereof. This declaration is submitted to provide the factual and legal support
15 for the filing of this material.

16 4. Federal Rule of Civil Procedure 26(c) provides that the Court may “issue an order
17 to protect a party or person from annoyance, embarrassment, oppression or undue burden or
18 expense” by “requiring that a trade secret or other confidential research, development, or
19 commercial information not be revealed or be revealed only in a specific way.”

20 5. Exhibits B and C to the Grigsby Opposition Declaration have been designated as
21 confidential under the protective order. These exhibits contain detailed information about
22 contractual terms and language in a contract with an athlete, and information about contractual
23 negotiations with a potential licensee, respectively.

24 6. Zuffa also seeks to seal portions of Zuffa’s Opposition, Exhibit A to the Grigsby
25 Opposition Declaration, and the Appendix of Exhibits in support thereof, that contain confidential
26 information described in paragraph 5 and contain confidential information related to the
27 documents Zuffa moved to seal in its Motion to Seal Portions of Plaintiffs’ Motion to Challenge
28

1 Attorney-Client Privilege (ECF No. 324). Zuffa incorporates by reference the arguments
2 contained in its prior motion.

3 7. With respect to paragraph 5 above, it is my understanding that Zuffa treats its
4 contracts, in executed and draft forms, as confidential. Zuffa also considers its internal decision-
5 making processes, discussions, and business strategies confidential. Disclosure of this
6 information, which includes specific financial terms, benefits, and obligations negotiated with an
7 athlete, could expose Zuffa's approach to internal decision-making strategies and negotiations, as
8 well as disclose attorney-client privileged communications regarding proposed draft language of
9 contractual provisions. In sum, public disclosure of this information would provide competitors
10 with unfair and damaging insights into Zuffa's business practices.

11 8. With respect to paragraph 5 above, it is my understanding that Zuffa treats its
12 negotiations with sponsors and licensees as confidential. I also understand that Zuffa treats its
13 business strategy with respect to sponsors and licensees, as well as potential sponsors and
14 licensees as confidential. Disclosure of this information, which includes specific contemplated
15 policies and strategies with respect to sponsors and licensees could expose Zuffa's internal
16 decision-making strategies and disclose attorney-client privileged communications regarding
17 contemplated contractual terms and potential language. Put simply, public disclosure of this
18 information would provide competitors with unfair insight into Zuffa's business practices with
19 respect to sponsors and licensees.

20 9. I further understand that Zuffa does not publicly disclose information relating to
21 fighter contracts and the various forms of fighter compensation paid under those agreements.

22 10. I further understand that Zuffa does not publicly disclose information relating to
23 sponsors or licensees and the various contractual requirements for sponsors and licensees who
24 contract to do business with Zuffa.

25 I declare under penalty of perjury under the laws of the United States of America that the
26 foregoing facts are true and correct. Executed this 3rd day of January, 2017, in Washington, DC.

27 /s/ Stacey K. Grigsby
28 Stacey K. Grigsby